

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

ORCHID ISLAND TRS, LLC (formerly )  
known as Opteum Financial Services, LLC) )  
and BIMINI CAPITAL MANAGEMENT, )  
INC. (formerly known as Opteum, Inc.) )

Plaintiffs, )

v. )

Civil Action No. 07-CIV-9550

INDYMAC BANCORP, INC., and )  
INDYMAC BANK, F.S.B., )

Defendants. )

**JOINT MOTION FOR ENTRY OF**  
**STIPULATED PROTECTIVE ORDER GOVERNING**  
**CONFIDENTIAL MATERIALS AND INFORMATION**

Plaintiffs Orchid Island TRS, LLC (“Orchid Island”) and Bimini Capital Management, Inc. (“Bimini”) (collectively, “Plaintiffs”) and Defendants IndyMac Bancorp, Inc. (“IndyMac”) and IndyMac Bank, F.S.B. (“IndyMac Bank”) (collectively, “Defendants”) respectfully ask this Court to enter the Stipulated Protective Order Governing Confidential Materials and Information (the “Stipulated Protective Order”) to which the parties have agreed.

In support of this Motion, the parties submit that they may seek certain discovery material from each other which one or more of the parties consider to be confidential and/or trade secrets and therefore are in need of protection from disclosure as permitted by the Stipulated Protective Order.

WHEREFORE, the parties respectfully request that the Court enter the Stipulated Protective Order Governing Confidential Materials and Information, a copy of which is attached hereto as Exhibit A.

Respectfully submitted this 12th day of May, 2008.

EDWARDS ANGELL PALMER & DODGE LLP  
750 Lexington Avenue  
New York, NY  
(212) 308-4411

and

One Giralda Farms  
Madison, NJ 07940  
(973) 520-2300

By: /s/ Kenneth J. Cesta  
Robert Novack  
Kenneth J. Cesta

*Attorneys for Plaintiffs*

ALSTON & BIRD LLP  
90 Park Avenue  
New York, NY 10016-1387  
(212) 210-9400

and

One Atlantic Center  
1201 West Peachtree Street  
Atlanta, GA 30309-3424  
(404) 881-7000

By: /s/ Michael E. Johnson  
Michael E. Johnson  
Erin L. Connolly

*Attorneys for Defendants*